

JAN 30 2007

Docket No.: 013217.0188PTUS
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dean D. Beightol et al.

Application No.: 10/777,933

Confirmation No.: 5472

Filed: February 12, 2004

Art Unit: 2616

For: SYSTEM FOR TRANSMITTING HIGH
QUALITY SPEECH SIGNALS ON A VOICE
OVER INTERNET PROTOCOL NETWORK

Examiner: L. D. Feild

FIRST PRELIMINARY AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir,

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/ Arguments begin on page 11 of this paper.

A Supplemental Declaration is attached to this paper.

A Fee Transmittal and Credit Card Payment Form for additional claims is attached to this paper.

01/31/2007 TL0111 00000005 10777933

01 FC:1201
02 FC:1202

400.00 OP
1200.00 OP

PATTON BOGGS LLP
ATTORNEYS AT LAW

1660 Lincoln Street, Suite 2050
Denver CO 80264
(303) 830-1776

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Facsimile: (303) 894-9239

FAX TRANSMISSION

DATE: January 30, 2007

PTO IDENTIFIER: Application Number 10/777,933-Conf. #5472

Patent Number

Inventor: Dean D. Beightol et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: PATTON BOGGS LLP

James M. Graziano

PHONE: (303) 830-1776

Attorney Dkt. #: 013217.0188PTUS

PAGES (Including Cover Sheet): 18

CONTENTS: Certificate of Transmission (1 page)
First Preliminary Amendment (11 pages)
Supplemental Declaration (2 pages)
Fee Transmittal (2 for a total of 2 pages)
Payment by credit card. Form PTO-2038 is attached (1 page)
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PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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Application No. (if known): 10/777,933

Attorney Docket No.: 013217.0188PTUS

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Elaine C. Von Spreckelsen
Signature

Elaine C. VonSpreckelsen

Typed or printed name of person signing Certificate

N/A

Registration Number, if applicable

(303) 894-6163

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

1. First Preliminary Amendment (11 pages)
2. Supplemental Declaration (2 pages)
3. Fee Transmittal (2 for a total of 2 pages)
4. Payment by credit card. Form PTO-2038 is attached (1 page)
5. Charge \$1,600.00 to credit card

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PTO/S&H7 (07-06)

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L.R. 4619).		Complete if Known						
FEE TRANSMITTAL For FY 2006		Application Number	10/777,933-Conf. #5472					
		Filing Date	February 12, 2004					
		First Named Inventor	Dean D. Beightol					
		Examiner Name	L. D. Feld					
		Art Unit	2816					
		Attorney Docket No.	013217.0188PTUS					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27								
TOTAL AMOUNT OF PAYMENT	(\$)	1,600.00						
METHOD OF PAYMENT (check all that apply)								
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____								
<input type="checkbox"/> Deposit Account Deposit Account Number: 50-1848 Deposit Account Name: Patton Boggs LLP								
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)								
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee								
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments								
FEE CALCULATION								
1. BASIC FILING, SEARCH, AND EXAMINATION FEES								
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)	
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)		
Utility	300	150	500	250	200	100		
Design	200	100	100	50	130	65		
Plant	200	100	300	150	160	80		
Reissue	300	150	500	250	600	300		
Provisional	200	100	0	0	0	0		
2. EXCESS CLAIM FEES								
Fee Description	Fee (\$)	Small Entity Fee (\$)						
Each claim over 20 (including Reissues)	50	25						
Each independent claim over 3 (including Reissues)	200	100						
Multiple dependent claims	360	180						
<table border="0" style="width: 100%;"> <tr> <td> Total Claims 44 - 20 = 24 x 50.00 = 1,200.00 </td> <td> Multiple Dependent Claims Fee (\$): Fee Paid (\$): </td> </tr> </table>							Total Claims 44 - 20 = 24 x 50.00 = 1,200.00	Multiple Dependent Claims Fee (\$): Fee Paid (\$):
Total Claims 44 - 20 = 24 x 50.00 = 1,200.00	Multiple Dependent Claims Fee (\$): Fee Paid (\$):							
<table border="0" style="width: 100%;"> <tr> <td> Indep. Claims 5 - 3 = 2 x 200.00 = 400.00 </td> <td> Multiple Dependent Claims Fee (\$): Fee Paid (\$): </td> </tr> </table>							Indep. Claims 5 - 3 = 2 x 200.00 = 400.00	Multiple Dependent Claims Fee (\$): Fee Paid (\$):
Indep. Claims 5 - 3 = 2 x 200.00 = 400.00	Multiple Dependent Claims Fee (\$): Fee Paid (\$):							
HP = highest number of total claims paid for, if greater than 20. HP = highest number of independent claims paid for, if greater than 3.								
3. APPLICATION SIZE FEE								
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)				
- 100 -	50	(round up to a whole number) x						
4. OTHER FEE(S)								
Non-English Specification, \$130 fee (no small entity discount)								
Other (e.g., late filing surcharge):								
SUBMITTED BY								
Signature	James M. Graziano	Registration No. (Attorney/Agent)	28,300	Telephone (303) 830-1778				
Name (Print/Type)	James M. Graziano	Date						

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Effective on 12/06/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4281).

FEE TRANSMITTAL For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT		(\$)		1,600.00	
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Complete if Known

Application Number	10/777,933-Conf. #5472
Filing Date	February 12, 2004
First Named Inventor	Dean O. Beightol
Examiner Name	L. D. Feild
Art Unit	2616
Attorney Docket No.	013217.0188PTUS

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☐ Deposit Account: Deposit Account Number: 50-1848 Deposit Account Name: Patton Boggs LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fees Paid (\$)
44	-20 = 24	50.00	1,200.00			

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
5	-3 = 2	200.00	400.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
	-100 = 50	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

SUBMITTED BY

Signature	<i>James M. Graziano</i>	Registration No. (Attorney/Agent)	28,300	Telephone	(303) 830-1776
Name (Print/Type)	James M. Graziano	Date			

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